

## Message Text

CONFIDENTIAL

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ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 EB-11 SAJ-01 ACDA-19 OMB-01

CIAE-00 DODE-00 PM-07 INR-10 L-03 NSAE-00 NSC-10

PA-04 RSC-01 PRS-01 SPC-03 SS-20 USIA-15 DRC-01 /147 W

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R 181439Z JAN 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 9798

INFO USMISSION BERLIN

USMISSION USUN NEW YORK

USMISSION NATO BRUSSELS

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMCONSUL MONTREAL

C O N F I D E N T I A L BONN 00902

E.O. 11652: GDS

TAGS: ETRN, PFOR, GW, GE, WB, UK, FR, US, UN

SUBJECT: ALLIED DISCLAIMER ON GDR ADMISSION TO ICAO

REF: (A) STATE 247636, DEC 20, 1973; (B) BERLIN 2058,

DEC 4, 1973; (C) BONN 17311, NOV 30, 1973

1. AT JAN 8 BONN GROUP MEETING FRG REP (LUECKING) REPORTED BONN HAS CONCLUDED, SINCE THE GDR IS NOW A UN MEMBER, THAT THERE IS NO LEGAL WAY TO PRECLUDE THE GDR FROM JOINING ICAO UNDER ARTICLE 92. UK REP (CROMARTIE) QUICKLY JOINED IN TO AGREE, ADDING THAT Y ATTEMPT TO FORCE MEMBERSHIP UNDER ARTICLE 93 WAS NOT A REAL ALTERNATIVE BECAUSE OF THE DAMAGING POLITICAL STORM WHICH WOULD LIKELY BE RAISED IN ICAO IF SUCH AN ATTEMPT WERE MADE. FRENCH REP (PAYE) ALSO EXPRESSED DOUBTS THAT MEMBERSHIP UNDER ARTICLE 93 COULD BE INSISTED UPON.

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2. FOCUS OF DISCUSSION CONSEQUENTLY QUICKLY SHIFTED TO

TEXT OF DISCLAIMER AND AT SUBSEQUENT SESSION (JAN 17)  
THE FOLLOWING TEXT, BASED ON REFTELS A AND B WAS AGREED  
AD REF FOR RECOMMENDATION TO CAPITALS. BEGIN TEXT:  
REGARDING THE ACCESSION OF THE GERMAN DEMOCRATIC  
REPUBLIC TO THE CONVENTION ON INTERNATIONAL CIVIL  
AVIATION, MY GOVERNMENT WISHES TO STATE THAT, AS THE  
CONTRACTING STATES WILL BE AWARE, FRANCE, THE UNITED  
KINGDOM, AND THE UNITED STATES HAVE SPECIAL  
RIGHTS AND RESPONSIBILITIES RELATING TO AIR ACCESS TO  
BERLIN. THESE RIGHTS AND RESPONSIBILITIES ARE  
REFLECTED IN QUADRIPARTITE AGREEMENTS, DECISIONS, AND  
PRACTICES DATING BACK TO THE WARTIME AND POST-WAR  
PERIOD AND CONCERNING SUCH MATTERS AS THE CORRIDORS  
BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE BERLIN  
CONTROL ZONE, THE BERLIN CONTROL ZONE ITSELF, AND THE  
REGULATION OF AIR TRAFFIC WITHIN THE CORRIDORS AND THE  
CONTROL ZONE. THESE RIGHTS AND RESPONSIBILITIES WILL  
CONTINUE UNAFFECTED IN THE FUTURE AS THE FOUR POWERS  
MADE CLEAR IN THEIR QUADRIPARTITE DECLARATION OF  
NOVEMBER 9, 1972, WHICH WAS CIRCULATED AS A UN DOCUMENT  
TO ALL UN MEMBERS ON 18 JUNE 1973. END TEXT. PLEASE  
NOTE THAT "QUADRIPARTITE AGREEMENTS" IN SECOND  
SENTENCE WOULD BE IN LOWER CASE.

3. REGARDING MODALITIES OF DELIVERY, CROMARTIE SAID UK  
VIEW WAS THAT BEST SOLUTION WOULD BE FOR US AS  
DESPOSITORY TO CIRCULATE NOTE ON BEHALF OF THE THREE  
ALLIES IMMEDIATELY AFTER GDR JOINS. IDEA IS TO AVOID  
POLITICIZING SPECIALIZED AGENCY AND ALSO TO AVOID  
RAISING ISSUE IN OFTEN-VOLATILE ICAO ASSEMBLY.  
COMMENT: WE SEE THE LOGIC OF THE UK PROPOSAL BUT HAVE  
RESERVED OUR POSITION SINCE WE DO NOT HAVE ALL FACTS  
HERE NECESSARY TO MAKE A JUDGMENT ON MODALITIES.  
ACTION REQUESTED: DEPARTMENT'S APPROVAL OF TEXT AND  
INSTRUCTIONS ON MODALITIES OF DELIVERY.  
HILLENBRAND

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DIPLOMATIC PROTESTS, MEMBERSHIP REQUIREMENTS, BERLIN AIR ACCESS, BERLIN TRIPARTITE MATTERS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 18 JAN 1974  
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**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
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**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** n/a  
**From:** BONN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740133/aaaabepl.tel  
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30 JUN 2005

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**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ALLIED DISCLAIMER ON GDR ADMISSION TO ICAO  
**TAGS:** ETRN, PFOR, GE, GC, WB, UK, FR, US, UN, ICAO  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005